

OBSERVATIONS

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ON THE

LAST DEBATE

UPON THE

DEHLY NEGOCIATIONS,

AND THE

PROPOSED IMPEACHMENT

OF

MR. HASTINGS.



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DEBENTURE NEGOTIATIONS

AND

PROPOSED REFINANCING



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OBSERVATIONS
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IT has been a favourite doctrine of the Whig members of the present opposition, that the proceedings of parliament cannot be made too public, and it necessarily follows, that men out of doors may animadvert as freely as they please upon the conduct of any of the parties in the House, provided they do not violate that decorum which should be observed, when they expose to public view, the conduct of those, who once held high, and important offices in this kingdom.

It would lead me too far from the subject of the following sheets, were I to analyze the discordant parts of which the present opposition is

composed, or to hazard my conjectures as to the motives by which those men are actuated who now prosecute Mr. Hastings. That gentleman's cause has been very conveniently turned on former occasions to the purposes of party and faction in this kingdom, but not by his desire, or with his knowledge. Thus in the year 1776, when Lord North wished his removal, the Rockingham party, to a man, voted for his continuance in office. A fact which any gentleman may ascertain, by examining the names of those who balloted in 1776, in opposition to the thirteen directors who would then have removed him. In 1782, after Lord North had four times recommended Mr. Hastings to parliament for the office of Governor General, and the last time actually for ten years, the Rockingham party decreed his recall, and they fixed upon a curious way to effect it; it failed; and they grew more violent than ever: but their influence and power in the Marquis of Lansdown's administration forced the question on again, which again was defeated by the general voice of the proprietors and the public.

The next attempt, which had not merely the removal of Mr. Hastings for its object, was
frustrated

frustrated by the downfall of the ministry, at a moment when they appeared so strong as to laugh to scorn the opposition of the Sovereign, or his people. Here the struggle ended; Mr. Hastings resigned his government, even without waiting to hear that a successor was nominated, and before any was actually appointed. He arrived in England last summer, and found the two parties, who for years had been virulently abusing each other, and alternately censured or supported him, were united together, and determined upon his prosecution.

The intricacies of Indian details must, in the nature of things, be tedious and disgusting to the generality of people in England: but there are certain strong facts which speak to the good sense of mankind, and the following observations have been repeated a hundred different times, and by as many different men: Mr. Fox and Mr. Burke invariably attributed the calamities which have been brought upon this country, to the imbecility, indolence, corruption, and Tory principles of Lord North, and they were solemnly pledged again and again to impeach him. The very idea of a coalition with him, which was merely hinted at by Mr. Dundas, in March 1782, drove them to madness.

Mr.

Mr. Fox's speech on that memorable occasion is before the public. Lord North on the other hand attributed all our misfortunes to the factious opposition which he had to contend with; but neither party have ever attempted to say, that the empire has not been dissevered; nor have they endeavoured to strike off one, from the one hundred millions of debt which we have contracted in the last ten years. Yet a love of power united these virulent opponents, an alliance which reason, common sense, and the people of England have universally condemned.

One fruit of that alliance is the prosecution of Mr. Hastings, who, so far from having brought loss, and disgrace, and ruin upon the empire, the charges made by Messrs. Fox, and Burke, against Lord North, has actually preserved whole and entire to Great Britain the brightest jewel in her crown; nay, he has done more, for during his government Great Britain conquered every settlement belonging to our European enemies on the Continent of Indostan, and restored them at the peace, to preserve our West India islands.—but I will not dwell longer on the inconsistency of Mr. Hastings's opponents.—The gentleman who stands most forward in this prosecution is Mr. Edmund Burke, though he has to this day

day made no charge, yet he has attempted to mislead the people of England by inflammatory speeches, and, unless he can prove a great deal indeed, perhaps all men may not say with Mr. Fox, that his character is *safe* and *on-shore*.

Mr. Burke has moved for a great variety of papers which were granted without hesitation. When however he asked for all the papers and documents relative to the Maratta peace, the Minister thought proper to reject the motion, and he deemed it consistent with justice, at the same time, to speak in the most expressive, and animated terms of the great merit of Mr. Hastings, in concluding that peace. The papers being refused, we were immediately told by the opposite party, that delinquency was openly protected; that if Mr. Burke could procure the papers, he would prove to demonstration that the faith of the nation had been grossly vitiated in the case of the Rana of Gohid, and many other Rajahs, but more particularly the Rana of Gohid. Here Mr. Burke was brought to a point. All the papers relative to the Rana of Gohid were granted him, and he was informed by Major Scott that Mr. Anderson, who negotiated the Maratta peace, was in London, and that Colonels Muer, and Popham, and Captain Scott, who had all served in Gohid, where also

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in town. Upon this subject then the information will be full and complete, so anxious was Mr. Scott to bring it forward, that he has himself moved for the printing of all the papers relative to that subject.

The next material motion was, for the papers which explained the nature of Major Browne's negotiations at Dehly. These were peremptorily refused; and the subject but slightly touched upon. Here then was food enough for declamation. Mr. Burke declared that he was left with the threads and fragments of charges—that he had lost his right arm, &c.—Mr. Fox saw deeper. He boldly asserted that a compromise had been entered into between Mr. Hastings and the Ministry; and that it was determined to protect him. Very fortunately, however, Mr. Fox pushed the matter rather too far; and instead of leaving the business where it was, he determined again to agitate the question. It was argued last Friday, and we will now detail what has been proved incontrovertibly, to be the true state of the question.—On the part of Mr. Fox, Mr. Sheridan, and Lord North, who were the three speakers in favour of the motion, there was an infinite display of wit, humour, close logical reasoning, and

and ingenious deductions from assumed facts.— On the other side—Mr. Pitt distinctly and clearly proved, that not one of the assertions of Mr. Fox was founded in fact, as appeared by a reference to dates, and from the confession of Major Browne himself. From the documents read by Mr. Pitt, and from the particulars afterwards mentioned by Major Scott, to which we shall add two extracts of letters from Mr. Hastings to the Supreme Council, and to Mr. Wheler, we shall very clearly expose the prejudices and mistakes of opposition.

In the month of August, 1782, great unanimity prevailed in the Supreme Council of Bengal. The members were Mr. Hastings, Mr. Wheler, and Mr. Macpherson. Mr. Hastings at that period proposed to send a Minister to the court of Dehly.—Nuzeph Cawn, the King's Minister, had died a few months before. He drew up instructions for this Minister, and the Board read, and approved them. One article of these instructions was, that the Minister, Major Browne, should encourage, rather than discourage, any proposal that should be made by the King, or his Minister, for military assistance; but he was to conclude nothing without orders. Under these instructions he went from Calcutta, was delayed first in Owde, before he received

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passports,

passports, and afterwards in Agra; so that he did not reach Dehly till December 1783, by which time our political situation in India was very materially changed. When Major Browne was deputed, we were at war with the Marattas, Hyder Ally Cawn, the French, and the Dutch. But in December 1783, peace had been firmly established with all the powers except Tippoo Saheb, the successor of Hyder; and there were no doubts entertained of the conclusion of peace with him.

From August 1782, to the day Mr. Hastings left Calcutta, in February 1784, Major Scott has solemnly declared that he never once wrote to Major Browne, nor saw him, and that he at no time gave him instructions of any kind but his public instructions. Before Major Browne's letter of December 1783, which has given rise to so many ingenious surmises, was received in Calcutta, the subject of that letter, namely, an application for military assistance to the King, was regularly brought before the Council, and fully debated. Mr. Hastings was for giving assistance. The Council against it. And here it is necessary to observe, that not in this instance only, but in others, and the only one of great moment, Mr. Hastings was in a minority, that is, he stood singly, against Messrs. Wheeler,

Wheler, Macpherson, and Stables, and had stood so since April 1783, and continued in a minority till a month before he returned to England. No information was sent to the King, or to Major Browne, of the Board's refusal to assist the King, either by Mr. Hastings or his Council; and this clears up a doubt of Lord North, who wondered why Mr. Browne should repeat, on the 30th of December, a proposition which had been negatived in October. Major Browne's so much talked-of letter arrived in Calcutta the 20th of January, and was circulated for the consideration of the Board. There it remained; and a few days after Mr. Hastings quitted Calcutta, and proceeded to Lucknow; nor does it appear that the Council ever took any further notice of it. The only remark made is, "That this letter do lie for consideration." Now it would be rather hard upon Mr. Hastings to make him accountable for the sentiments of his Council, who probably supposed, that, as they had actually determined, in October 1783, not to assist the King, it was needless to consider a letter from Major Browne, written two months later, on the same subject:—and here this proposal from the King and his Minister, Affrasiab Cawn, received its fate, against the opinion of Mr. Hastings.

That gentleman's deputation to Lucknow was a singular event. The circumstances which gave rise to it were these:—The Nabob Vizier, and his Minister, had sent repeated complaints to Calcutta of the conduct of Mr. Bristow, the British Resident at his court, and earnestly requested his recall. Mr. Hastings was for it—his Council against it. These disputes were serious in April 1783; but in December of the same year, they arrived to such an alarming height, that it became necessary either to give Mr. Bristow absolute power in Owde, and to degrade the Nabob Vizier, and his Minister; or to recall Mr. Bristow. This was totally independent of every consideration of the truth, or falsehood of the complaints against Mr. Bristow. The Council determined upon Mr. Bristow's recall, Mr. Hastings assuming the whole responsibility of the measure, and pledging himself that the Company's balance should be paid by the Vizier. On the Vizier's invitation he was permitted to go to Owde in February 1784, expressly for the purposes of assisting his Excellency in the settlement of his country, and of recovering the Company's debt, which Mr. Fox struck off in England, and many in India pronounced to be irrecoverable. This is merely mentioned as it is in a degree connected with what is styled the Second Dehly Negotiation.

Negotiation. And here a doubt of Mr. Sheridan's can be cleared up. He stated with great ingenuity, that Mr. Hastings was not to command beyond the Vizier's dominions.

He drew up his own instructions, and inserted this clause himself, never asking, or wanting any power or authority beyond the Vizier's dominions; and his Council approved of them: so that the clause alluded to did not originate in any jealousy entertained by the Supreme Council of Mr. Hastings's designs in favour of the King. After Mr. Hastings's arrival at Lucknow, and when he was deeply engaged in financial arrangements with the Vizier and his Minister, the King's eldest son fled from Dehly to Lucknow. No remonstrances from Mr. Hastings or the Vizier could prevent his coming there. He wrote to the Governor-general, that, unless he would consent to receive him, he would throw himself at the door of his tent. No circumstance could be more distressing or unsuspected; but as he was determined to come, it was agreed by the Vizier and Mr. Hastings to receive him according to his rank. He applied for assistance.—Mr. Hastings stated his want of power to assist him, and wrote fully to the Council, who in reply enjoined him to avoid every measure that could commit the Company's

pany's arms, or their treasure beyond the Vizier's dominions. Here was no attempt from Mr. Hastings to assume an authority independant of his Council. He told the Prince he came to Lucknow with a limited authority, and that he believed his Council would be disinclined to assist the King, and this he said before he received their sentiments.

We now come to the second application from Major Browne to Mr. Hastings, which in a most extraordinary manner has been confounded with the first. When Major Browne wrote to Mr. Hastings on the 30th of December, 1783, for military assistance, it was in consequence of his conversation with the King and his public Minister Affrasiab Cawn; but when Major Browne came from the King to Mr. Hastings, in May 1784, he was charged in behalf of the King, to implore the assistance of our government against his Minister, Affrasiab Cawn, who had confined his confidential Minister Mudjud, ul Dowlah. As far as this statement in the house tended to raise a laugh at Mr. Jenkinson's expence, or to bring to our recollection the situation of his Majesty under the late administration, we do not think it worth notice, but

but Mr. Hastings treated the application so seriously, that, although he had every reason to believe his Council would not permit him to assist the King he thought it his duty to apply to them in the strongest terms upon the subject.

He conceived a very slight interference of the British government would be sufficient to relieve the King essentially; and that there would be no necessity either to make use of their arms, or their treasure. Among other arguments is the following, "If the sentiments of our own sovereign, and the nation in general, can be gathered from many late and successive publications of very high authority, I apprehend that it will be expected of us as a duty, that we should yield to it." And who that reads the seventh resolution of the House of Commons, of the 28th of May, 1782, can entertain a different opinion from Mr. Hastings?—In truth the difference between Mr. Hastings and the Council was this——He conceived the King might be assisted effectually, without danger or expence; and he was on a spot were he had a good opportunity of forming his judgment. His council differed from him in this opinion; they again refused the powers Mr. Hastings had asked, forbad him to adopt in his Negotia-

to his agents in the negotiations

tions any measure that might commit the Company's arms or their treasure, and nothing was done.—That Major Browne was the Minister of the government, and not of Mr. Hastings, is clear from the following expressions. In his letter to the Court of Directors of the 13th May, 1784, Mr. Hastings there says, “Major Browne, who is your Minister at the Court of Dehly, left it the 2d instant, by the King's command.” To Mr. Wheeler, who was at the head of the government of Calcutta, during Mr. Hastings' deputation, he writes, on the 9th of June, 1784, “If we meant to withhold *all interference* from the concerns of the King, we ought not to have appointed a public Minister to his court.—The board appointed Major Browne; it was an act of the most complete authority; for it passed while the members of the board were in entire confidence and good humour with each other, and all their judgments were concerned in it.—“Yet if it shall be resolved to leave the King entirely to his destiny, I shall not of my own authority send back Major Browne, nor advise the board to continue his commission.”—That Major Browne was the public Minister of the government of Bengal, we have proved. That he acted under his public instructions, and no other, we have the most solemn assurance of Mr. Hastings, and of
Major

Major Browne, in a letter written to Mr. Macpherson the present Governor-general, by Major Browne himself, after Mr. Hastings' departure. — That if Major Browne was not removed, for having gone beyond his instructions in his negotiations with the King, as detailed in his letter of the 30th December, 1783, cannot be the fault of Mr. Hastings, since he left Calcutta, very soon after that letter was received, and communicated to the Board, who ordered it "to lie for consideration," and never did, as we know of; consider it from that day to this, probably for the very reason we have already assigned, namely, "that they had determined on the subject of that letter two months before." — Perhaps it did not occur to the Council, that Major Browne merited a public mark of disgrace and punishment. — He was directed to encourage rather than to discourage a proposition for granting military aid to the King. — Under this instruction he acted, and he writes, "We have offered, the Shah has accepted, and we are bound in honour to go on," or words to this effect. The offer, and the acceptance, are very near what his instructions warranted, provided, as is certainly the case, the King knew Major Browne had not the power of concluding any thing: — and perhaps dismissal would have been too severe a

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punishment for Major Browne, who declared his opinion, that we were bound in honour to go on. But this is a point applicable to the Supreme Council only, and not to Mr. Hastings.

We shall quit this subject by stating the facts which arise from our observations, and all that has appeared fully authenticated in this subject.

1. That Major Browne was, in August 1782, appointed the British Minister at the court of the Mogul.
2. That Mr. Hastings drew up his instructions, and submitted them to the Council, who read and approved them; and from that moment they became the Board's instructions.
3. That Mr. Hastings never gave him any other instructions but these above mentioned; that he never saw him, or wrote to him, from August 1782 till after his (Mr. Hastings's) departure from Calcutta in February 1784.
4. That Major Browne met with many delays and obstructions; first, waiting for passports in Owde, and afterwards at Agra, and did not reach Dehly till December 1783.
5. That

5. That in consequence of letters from the King, and his minister Affrasiab Cawn, soliciting military assistance, this subject was debated in October 1783; that Mr. Hastings was for granting the assistance required, but his Council were against it, and of course the business was dropped.

6. That at this period, and even from April 1783, Mr. Hastings was in a minority, and continued so till just before he quitted India in February 1785.

7. That Major Browne's letter of the 30th of December 1783, with these words, "We have offered, the Shah has accepted;" was received in Calcutta by Mr. Hastings the 20th of January 1784, and immediately communicated to the Council, who ordered it to lie for consideration; that Mr. Hastings left Calcutta the following month.

8. That it does not appear the Council did, at any future period, take up, or pass any orders upon the subject of that letter.

9. That Mr. Hastings went to Lucknow for the express purposes of assisting the Vizir in the

settlement of his country, and for the recovery of the debt due to the company; that he submitted to the Board this instruction drawn up by himself; that he was to have a power over the army, but not beyond the province of Owde; and that the Council approved of this instruction, by which means it became an act of government.

10. That Mr. Hastings did recover a considerable part of the balance due to the company by the Vizir; that he fixed funds for securing the remainder; which late experience has proved were amply sufficient; and that he restored order and tranquillity to the Vizir's dominions.

11. That in April 1784 the Prince Yehander Shah, the King's eldest son, fled from Dehly; and, notwithstanding the remonstrances of the Vizir and Mr. Hastings, proceeded to Lucknow, where, as they could not prevent his progress, he was received with the honours due to his rank.

12. That Mr. Hastings assured the Prince his powers were limited, and that he could not assist him.

13. That

13. That the latter end of May, Major Browne arrived at Lucknow, charged with an express request from the King to solicit Mr. Hastings's assistance against his public minister, Affrasiab Cawn, to whom he was in fact a prisoner at that time.

14. That Mr. Hastings having no separate authority, did immediately apply to the Council for power to assist the King, and urging every argument he could make use of to induce them to grant him such a power; that the Council peremptorily refused it, granting him a power to negotiate for the Prince's return, but restricting him from committing the arms and treasure of the Company, and nothing further was done.

15. That the Council never did order the recall of Major Browne, and they were the only power competent to remove him.

16. That in August 1784 Mr. Hastings left Lucknow, arrived in Calcutta in November, and embarked on board the Berrington in February 1785.

These facts are fixed beyond contradiction; but the subject has been carried beyond Mr. Hastings's

Hastings's departure from Bengal, and therefore we shall pursue it a little further. The gentlemen in opposition are not always aware of the absurdities in which they are about to involve themselves, when they declaim on a subject which they do but partially understand. Mr. Burke, on the former debate on this business, lamented the dreadful consequences that would follow from the Marattas having possession of the King's person. Does he not know that from April 1771 to April 1773 the King was their prisoner? and that unless we interfered, and would consent to afford him assistance, they, or the Sics, must possess his person, and the desolated country which ostensibly acknowledged his sway? But in the eagerness to criminate Mr. Hastings, that gentleman is first accused of attempting, by British influence, to make the King's situation happier than it had been for years; and then by a sudden turn, which men of superior genius only can take, he is pronounced highly criminal for not opposing, by force of arms, Sindia's attempt to possess himself of the King's person and authority. Experience has proved, however, and future experience will prove, that no bad consequences will result from the events that have happened. Madajee Sindia has,

has, in the most public and satisfactory manner, disavowed his having authorized any application to our government for the tribute; nor has there been any period in our history in India, which gave a fairer prospect to the duration of peace in that country. With Sindia we are connected by the strongest ties of interest; and the alliance between our own government and Owde is too firmly established to be broken.

We cannot conclude this detail without remarking, that although Mr. Fox was not able to prove Mr. Hastings had, directly or indirectly, authorized Major Browne to go beyond the instructions which the Board had read and approved, yet he did make out, even by the acknowledgment and confession of Mr. Scott himself, that Mr. Hastings had received various letters from Major Browne, and that he did not lay these letters entire before the Board.

The fact is certainly true; but full extracts were made from them, by Mr. Hastings's directions, and sent to the Board, by a gentleman now in England, accompanied by various remarks from Mr. Hastings, upon the political opinions which Major Browne had given, and

and which were combated by Mr. Hastings, as differing from his own sentiments.

The unhappy situation of the King has been a constant subject of remark in this country; but we believe that his history is not generally known. Mr. Burke, in his printed speech of the 1st of December 1783, very unjustly blames the servants of the East India Company for the misfortunes which the King has suffered. They however are entirely free from blame. For years before Lord Clive returned to Bengal in 1765, the Mogul had been a wanderer throughout Indostan, not having, as he emphatically wrote to his lordship, a place whereon to lay his head. By the treaty of 1765, Corah and Allahabad, which were conquered by the British arms from the Vizier Sujah Dowlah, were to remain in the possession of the King, for the support of his dignity; and to these provinces were added twenty-six lacks of rupees from the provinces of Bengal, Bahar, and Orissa, in consideration of our acquiring the duanee of those provinces. From 1765 to 1771 the King remained at Allahabad, and then, at the instigation of the Marattas, he proceeded to Dehly, where he became as much a dependant as he had been from his birth to the year 1765.

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The Marattas forced from him sunnuds for the provinces of Corah and Allahabad, and his Majesty peremptorily demanded his tribute. Mr. Hastings, who, precisely at this critical moment, arrived at Bengal, and had succeeded to the government, was to determine whether he would remit the tribute to the Mogul, for the use of the Marattas, and permit them to possess themselves of Corah and Allahabad; or withhold the former, and resist their attempts to acquire the latter by force. He and his Council determined to withhold the payment of the King's tribute, and to yield Corah and Allahabad to the Vizier, from whom we had conquered them, for a valuable consideration. The Company, in daily communication with the Minister of the Crown, then Lord North, warmly approved of Mr. Hastings's conduct in both these instances, and sent positive orders to Bengal, that no further payments were to be made to the King, but by their express directions.

From 1772 to the present hour, the unfortunate Shaw Allum has experienced various vicissitudes; sometimes an instrument in the hands of the Marattas, and at others, the servant of his Ministers: at times almost in want of necessaries. And such was the state of his family, from the invasion of Nadir Shaw, the

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period

period from whence we may date the destruction of the Mogul empire, to the day the present King surrendered his person to General Carnac. It is a melancholy instance of the malignity of party, but a true one, that the men who have censured Mr. Hastings for an act of political necessity—withholding the King's tribute and restoring Corah and Allahabad to the Vizier—should now attempt to fix criminality upon him, for feeling and expressing an anxious desire to relieve the King, when he conceived it could be done without injury to our own government.

We have now detected the fallacious reasoning of the opposition, for they made the subject a party question: and here it is impossible to avoid taking some notice of the inconsistency of Mr. Burke. Long before he could have heard a syllable of Major Browne's negotiations, he pledged himself to prove Mr. Hastings a most notorious delinquent; yet the moment he was refused these papers, he declared that the Minister had left him with the threads and fragments of charges. We shall pursue the subject no farther—from what we have already said, the public may form a tolerably accurate judgment of the consistency, and public virtue of Mr. Hastings's prosecutors.

We cannot pass without notice a singular conclusion drawn by Mr. Fox, and Mr. Sheridan, from the imperfect accounts which they had received of Major Browne's negotiations. That Mr. Fox, who has been twice a Minister in this country, should be more ignorant of the military system of India than an ensign of six months standing is indeed extraordinary. However parties may differ as to the merits of Mr. Hastings, no man disputes his talents.—How then could Mr. Fox conceive him capable of entertaining an idea of assuming independance in India, with the assistance of the King's unpaid rabble at Dehly, and six unofficered battalions of Sepoys.—The youngest officer in Calcutta would have told Mr. Fox, that our Bengal Sepoy regiments, though they came to the push of the bayonet with an equal number of old French regiments in the Carnatic, would in less than six months, be deprived of their spirit, and their discipline, if not commanded by our countrymen : and that six battalions, so situated, would be overmatched in a contest with six companies of Sepoys, under the command of British officers.

THE END.

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